



## **Customer Service Activities**

### **– Privacy Statement –**

In the following Bayer Australia Limited, P.O. Box 182, Gordon NSW 2072, 875 Pacific Highway, Pymble NSW 2073, Australia, wishes to provide you with information on how we handle your personal data in the context of your customer service activities.

#### **A. Purposes of processing your personal data and data categories**

##### **1. General inquiries to our customer/financial service**

When you communicate with us via phone, email, fax or letter, we process your email address or phone number, the information you provide to us (e.g. your name and further contact information provided in your email footer, such as address or department information), the content of your message or any email-attachments as well as the meta data of the communication (e.g. time stamp, IP address, mail user agents, servers used in transit, phone number, phone extension, type of phone, etc.). In addition to this, we will classify the reason why you contacted us (e.g. request to place a new order, request on shipment status of an order, request for invoice copies, account statements, etc.). We use this personal data to be able to efficiently communicate with you.

The legal basis for processing your personal data for general inquiries (such as questions regarding your order or delivery times) is Art. 6(1)(b) General Data Protection Regulation (GDPR) but may vary depending on the purpose you are contacting us.

##### **2. Order Processing**

If you place an order with our customer service via phone, email, fax or letter, we submit your personal data as order requester into our order management and Customer Relation Management (CRM) systems:

###### **a) Process your order and deliver service to you:**

To be able to process any purchase order you make, which includes processing your payment, creating an invoice and organizing shipment to you, we may need to process the following personal data from you:



- Contact information (e.g. your name, address, phone/fax/mobile-number, email or other online contact information)
- Banking information (e.g. credit card information, bank account information)

### **b) Purchase history and our CRM system:**

We maintain a CRM system where we store your contact information any your purchase history. We use this information to better understand your interests and inform you about our products and services that might interest you as well. Furthermore, this enables us to better provide you with support in case you might need it.

### **c) Credit check if you purchase on account:**

If you choose to pay on account, we perform a credit check to protect us against payment defaults. For more details, please refer to the table below.

## **3. Improving our services**

To improve our services, we may use your email-address to ask for your feedback (e.g. regarding customer/financial service, on delivery time, quality of the delivery and accuracy of invoicing). You may at any time object to the use of your email-address for the purposes of collecting your feedback by sending an email to [dataprivacy.customerexperience@bayer.com](mailto:dataprivacy.customerexperience@bayer.com).

For quality purposes we might record your inquiry addressed to our customer service staff. However, this is subject to your explicit consent, according to Art. 6(1)(a) GDPR.

**Overview:** In the table below, we summarize our processing of your personal data, including the respective legal bases for data processing. We also explain our legitimate interests where appropriate.

| <b>Purpose</b>   | <b>Legal basis</b>                                     | <b>Explanation</b>  | <b>Provision of personal data required</b> | <b>Consequences of failure to provide personal data</b> |
|--|--|---|--|---|
| Process your purchase order and deliver service to you | Art. 6(1)(b) General Data Protection Regulation (GDPR) | Personal data necessary for the performance of a contract with you. | Yes  | We are not able to process your purchase order          |



| Purpose  | Legal basis       | Explanation   | Provision of personal data required | Consequences of failure to provide personal data  |
|--|-------------------|---|-------------------------------------|---|
| Purchase history and our CRM system                    | Art. 6(1)(f) GDPR | Our legitimate interest is based on our need to be able to manage our customer relations and to secure a successful business. | No                                  | We cannot send you customized information   |
| Credit check if you purchase on account                | Art. 6(1)(f) GDPR | Our legitimate interest is based on the fact that we would like to protect us against payment defaults.                       | No                                  | You are not able to use the payment method payment on account, in which case you need to pay in advance |
| Collect your feedback in order to improve our services | Art. 6(1)(f) GDPR | We have a legitimate interest to ask our customers how our products and services were perceived                               | No                                  | We are not able to collect your feedback to improve our services  |
| Ensure quality of our services                         | Art. 6(1)(a) GDPR | Subject to your consent, we record your calls with our service center to ensure high quality of our services.                 | No                                  | We cannot learn from the service operation to improve our services.                                     |

#### 4. Information on side effects and quality complaints

The customer/financial service is not intended for communications regarding side effects, lack of therapeutic effect, medication errors, grey market products/counterfeit medicine, incorrect or off-label use, quality complaints and/or other issues regarding



the safety or quality of Bayer products. If you wish to report side effects or make a quality complaint, please contact your health care professional (e.g. physician or pharmacist), your local health authority, or use our [website address](#) for the report of undesirable side effects.

If you nevertheless report to us undesirable side effects or other issues regarding the safety or quality of Bayer products, we will be legally bound to deal with your communication and may have to contact you for clarification purposes. Subsequently, we may have to notify the competent health authorities of the issues reported by you. In this context, your information will be forwarded in pseudonymized form, i.e. no information by which you may be directly identified will be passed on. We may also have to forward these pseudonymized notifications to our group companies and cooperation partners, to the extent these are likewise obliged to notify their respectively competent health authorities.

## **B. Retention period for personal data**

Your personal data in the context of customer service activities will be stored for 10 years. This period may need to be prolonged e.g. to fulfill legal archiving duties we have according to applicable tax laws. The general retention period for emails is four years.

## **C. Transfer of personal data**

### **1. Commissioned Processing**

In the context of customer service activities, we will to some extent use specialized service contractors who act as our data processors. Such service contractors are carefully selected and regularly monitored by us. They will only process personal data in accordance with our instructions and on the basis of an appropriate data processing agreement.

To support a majority of our customer service activities, we have chosen Accenture Services GmbH, Campus Kronberg 1, 61476 Kronberg i. Taunus, Germany.

### **2. Third Parties**

Furthermore, we may share personal data **with third parties** that process personal data as part of their business purposes that are part of the overall customer service activities, for example logistic service providers. Such third parties do not process personal data according to our instructions but will ensure compliance with data privacy requirements in own responsibility.

### **3. Processing of data outside the European Economic Area**



Your personal data may be transferred to a country for which the European Commission has not decided that it ensures an adequate level of data protection. In such cases, we apply appropriate safeguards to meet GDPR requirements for such transfers. These may include the standard data protection clauses as provided by the European Commission. You can obtain a copy of them by contacting our Data Privacy Officer using the contact details set out below.

## **D. Information regarding your rights**

The following rights are in general available to you according to applicable data privacy laws:

- Right of information about your personal data stored by us;
- Right to request the correction, deletion or restricted processing of your personal data;
- Right to object to a processing for reasons of our own legitimate interest, public interest, or profiling, unless we are able to prove that compelling, warranted reasons superseding your interests, rights and freedom exist, or that such processing is done for purposes of the assertion, exercise or defense of legal claims;
- Right to data portability;
- Right to file a complaint with a data protection authority;
- You may at any time with future effect revoke your consent to the collection, processing and use of your personal data. For further information please refer to the chapters above describing the processing of data based on your consent.

If you wish to exercise your rights, please address your request to the contact indicated below.

## **E. Contact**

For any questions you may have with respect to data privacy, please write an e-mail to [privacy.officer.anz@bayer.com](mailto:privacy.officer.anz@bayer.com) or contact our company data protection officer at the following address:

Data Protection Officer

875 Pacific Highway

Pymble NSW 2073

Australia



## **F. Amendment of Privacy Statement**

We may update our Privacy Statement from time to time. Updates of our Privacy Statement will be published on this Website. Any amendments become effective upon publication on our Website. We therefore recommend that you regularly visit the site to keep yourself informed on possible updates.

Last updated: **21.05.2021**